

m NE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/87 (12-97)
Approved for use through 9/30/00. OMB 0861-0031
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

In re: Ross W. Callon et al.
Case: IBN-0002 Application No.: 09/113,491 Filing date: 07/10/1998
Art Unit: 2665 Examiner: Toan Nguyen
Subject: System and Method for Facilitating Recovery from Communication Link Failures in a Digital Data Network

Certificate of Transmission under 37 CFR 1.8

Attention: Toan Nguyen, Examiner

Fax No.: (703) 872-9314

I hereby certify that this correspondence is being facsimile transmitted to the
Patent and Trademark Office

on 10/06/2003

Date


Signature

Lynda Schwalenberg

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify
each submitted paper.

Total Sheets Transmitted - 15

1. Response to Notice of Non-Compliance - 1 sheet
2. Response D - 11 sheets
3. Copy of Notice of Non-Compliant Amendment - 2 sheets
4. Certificate of Transmission - 1 sheet

Please call me at (831) 726-1457 if you have any questions.

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED
CENTRAL FAX CENTER
OCT 07 2003

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit 2665
Examiner Toan Nguyen

In Re: Ross W. Callon et al.
Case: IBN-0002
Serial No.: 09/113,491
Filed: July 10, 1998
Subject: System and Method for Facilitating Recovery from
Communication Link Failures in a Digital Data Network

To the Commissioner for Patent
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

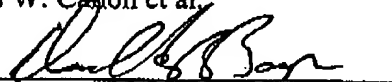
Response to Notice of Non-Compliant Amendment

A notice of non-compliant amendment was received in the above-referenced case, mailed by the Office on 9/29/2003, stating that the amendment document filed on 9/05/03 is not compliant because it fails to list cancelled claims 39-143.

In response the applicant has corrected the amendment filed on 09/05/03 and submits herewith a corrected paper. The applicant respectfully requests that the corrected amendment paper be accepted and entered into the case to be dealt with by the Examiner.

Respectfully Submitted,
Ross W. Callon et al.

by



Donald R. Boys
Reg. No. 35,074

Donald R. Boys
Central Coast Patent Agency
P.O. Box 187
Aromas, CA 95004
(831) 726-1457

45512



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/113,491	07/10/1998	ROSS W. CALLON	IBN-0002	8100

24739 7590 09/29/2003

CENTRAL COAST PATENT AGENCY
PO BOX 187
AROMAS, CA 95004

EXAMINER

NGUYEN, TOAN D

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 09/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

non compliant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 202
www.uspto.gov

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 09-5-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.

THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Cancelled Claims 39-143 not listed

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Marcia Gordon
Legal Instruments Examiner (LIE)

July 22, 2003 (rev.)